

IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	
v.)	No. 07 CR 747
)	Judge David H. Coar
JERROD SANDERS,)	
Defendant.)	

NOTICE OF FILING

TO: Julie B. Ruder
Assistant United States Attorney
219 S. Dearborn St., 5th Floor
Chicago, Illinois 60604

Please take notice that on this 25th day of Augst, 2008, the undersigned filed the following document(s) in the above-captioned cause, a copy of which is attached hereto.

– JERROD SANDERS' PROPOSED VOIR DIRE QUESTIONS

Respectfully submitted,

FEDERAL DEFENDER PROGRAM
Terrence F. MacCarthy
Executive Director

By: s/Imani Chiphe
Imani Chiphe

By: s/Daniel J. Hesler
Daniel J. Hesler

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JERROD SANDERS' PROPOSED VOIR DIRE QUESTIONS

JERROD SANDERS, by the Federal Defender Program and its attorney
IMANI CHIPHE, hereby submits Mr. Sanders proposed voir dire questions.

Respectfully submitted,

FEDERAL DEFENDER PROGRAM
Terence F. MacCarthy
Executive Director

By: s/Imani Chiphe
Imani Chiphe

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INDIVIDUAL DEMOGRAPHICS

1. Please tell us about yourself and your family.

2. **OCCUPATION:**

What is your position at work, what are your job responsibilities, and what kind of company do you work for?

IF NOT EMPLOYED -- What jobs have you had in the past?

Do you supervise other people?

How long have you had this particular job?

What do you like best about your work?

What do you dislike about your job?

What kinds of decisions do you have to make at your job?

How do you go about making those decisions?

3. **IF MARRIED OR HAS A PARTNER:**

What does/did your spouse do for a living?

Where does s/he work?

How long has s/he been employed at this job?

4. **IF CHILDREN / GRANDCHILDREN:**

What are their ages?

If they are employed, what do they do?

5. **RESIDENCE:**

What neighborhood do you live in?

Where grow up? Where else have you lived?

6. **EDUCATION:**

What is your **educational** background, what kinds of training have you received?

Have you ever taken any courses in law, psychology, or criminal justice?

7. **ORGANIZATIONS:**

Have you ever been active in any **organizations**, such as neighborhood or social clubs, a union or professional organizations, political or church-related organizations?

Do you do any volunteer work?

How active are you in this organization?

What kinds of activities do you participate in?

Have you ever held an office or served on a committee in this

organization?

8. SPARE TIME:

What kinds of spare time activities do you enjoy, such as sports or hobbies?

9. MILITARY:

Have you ever served in the military?

When, where, what branch were you in?

Did you have anything to do with the military legal system - the Judge Advocate's Office or the Military Police?

How do you think that affects how you look at the civilian courts and how they work?

10. MEDIA:

What types of television shows do you watch about the courts or law enforcement?

What is it you like about watching those kinds of shows?

How realistic do you think they are?

Do you ever read books about the courts or police?

What do you like about those kinds of books?

What types of books do you like to read?

Where do you get most of your news?

What kinds of radio programs do you listen to?

GROUP QUESTIONS

11. PRIOR JURY DUTY:

How many of you have ever served on a jury before?

When was that, and what court were you in?

What kind of case was that? (criminal or civil)

(IF CIVIL: TALK ABOUT DIFFERENT BURDEN OF PROOF)

Did you come to a verdict?

How did you feel about being a juror?

Did your feelings about the court system change after you were a juror?

How do you think that experience might influence you in being a juror
in this case?

12. INVOLVEMENT WITH COURT CASES:

How many of you or anyone in your family have ever been involved in a lawsuit or a court case of any kind, as a witness or a plaintiff or a defendant?

What kind of case was it? Did it go to court?

Did you/they testify? How feel about the verdict?

What were your feelings about the court system after having been involved in that case?

Did your feelings about the courts change at all because of your experience?

How do you think that experience will influence you in being a juror in this case?

13. **CRIME VICTIM:**

How many of you or anyone close to you have ever been the victim of a crime?

What happened?

Were guns involved?

Were the police called?

Was the person apprehended?

Did you have to go to court?

What was the outcome of that situation?

How do you feel about that outcome?

14. **WITNESS TO A CRIME:**

How many of you have ever been a witness to a crime?

Did you testify?

What did you testify about?

Were there drugs involved in the incident you were testifying about?

15. **COURTS:**

How many of you or someone you know have ever worked in the courts or any area of the law, such as being a lawyer, working for the prosecutors' office or US attorneys' office, or for the courts, such as being a court reporter or clerk?

Please explain.

Who is this person?

How do you know them?

What type of work do they do?

How long on the job?

Do you ever talk with this person about the criminal justice system?

Do they have criticisms about how the criminal justice system works?

Do you have criticisms about how the criminal justice system works?

How does [your experience/ knowing this person] affect your feelings about law enforcement and the courts?

16. LAW ENFORCEMENT:

How many of you or someone you know have ever worked in law enforcement such as being a police officer, sheriff, Alcohol Tobacco and

Firearm agent(ATF), being employed by a prison or by the courts or any other law enforcement?

Please explain.

Who is this person?

How do you know them?

What type of work do they do?

How long on the job?

Do you ever talk with this person about the criminal justice system?

Do they have criticisms about how the criminal justice system works?

Do you have criticisms about how the criminal justice system works?

How does [your experience/knowing this person] affect your feelings about law enforcement and the courts?

Has anyone ever taken any courses in law enforcement?

Please explain.

Has anyone ever *wanted* to go into law enforcement?

Tell us about that.

Has anyone ever done any volunteer work for the police, or ridden with the police?

Tell us about that.

Have you or any of your family members contributed time or money to an organization which supports law enforcement?

What organization?

About how many years have you/they been doing that?

17. **RACIAL ATTITUDES:** - I would like to speak with you about race and racial attitudes. I realize that can make people feel uncomfortable, I know it makes me feel that way. In addition, it something that we rarely discuss in America among people of different races.

Do you think that there is more or less racism/prejudice in America today than there was 20 years ago? Why?

Tell me about the most recent example of racism that you heard about/

Often there is news or statistics about African-American men committing crimes or being incarcerated at an extremely high rate? What are your thoughts about this? Why do you think that is?

How many of you either live or have lived in a neighborhood where there are African American people?

Where was that?

How many African American people are/were in your neighborhood?

How do/did people get along?

How many of you work with, or have ever worked with, any African American people?

If yes, is this in your current job or in a past job?

How many of you have been involved in any situations, such as in your neighborhood, school, or at work, where there has been racial tension?

Please tell us what happened.

How has that experience affected your feelings about African American people in general?

How many of you have some other kind of regular contact with African American people, other than in your neighborhood or at work?

What kind of contact is that?

How many of you have ever had a particularly negative experience with an African American person?

Please tell us about that.

Is this something you would rather talk about more privately?

How do you think that this has affected your feelings about African-American people in general?

How many of you have any feelings or views that might be stereotypes or biases about African American people?

Please describe them.

How do you think these feelings or views affect how you deal with individual African Americans?

How many of you think that, on the whole, African Americans are more likely to be involved in and commit crimes than other people?

Why do you say that?

How many of you think it is more difficult to judge if an African American person is a reliable witness than if a white person is a reliable witness?

Why do you say that?

How many of you have feelings about African Americans that might interfere with your ability to be fair and impartial, to treat these defendants as individuals, and as you would want to be treated by a jury?

What do you think about your ability to do that?

18. THE CASE:

In this case Mr. Sanders has been charged with knowingly possessing a handgun.

Have any of you heard anything about this case or the people involved or did you see or hear any news reports about it?

What have you heard or read about this?

What stands out in your mind about what you have read or heard?

What was your reaction when you read or heard about this case?

Based on everything you've heard or read about the case up to this point, what is your opinion about whether this particular defendant is innocent or guilty?

In this case, Jerrod Sanders is charged with knowingly possessing a handgun after having been previously convicted of a crime which carries a potential term of imprisonment of greater than one year.

Do any of you feel that, because of Mr. Sanders' prior conviction, it makes more likely that Mr. Sanders possessed the handgun with which he is charged in this case?

It might be easy to say that if the Chicago Police Department, ATF and the government thinks Mr. Sanders is guilty of knowingly possessing the handgun, then he probably is guilty and that is that. But if you are chosen as a juror it will be your job to make sure that the government has proved its case beyond a reasonable doubt or you cannot find Mr. Sanders guilty. And part of that decision involves deciding if Mr. Sanders knowingly possessed the handgun. The jury cannot say that just because he has committed a crime before, that he is guilty of this crime.

During the course of the trial, you might not learn of the specific nature of the prior felony charge against Mr. Sanders. How many of you would be inclined to speculate about the nature of that prior charge?

You will be instructed that you are not to speculate about the nature of that prior charge or to assume that such a prior charge makes it more or less likely that Mr. Sanders committed the offense for which he is now on trial. The only relevance of that prior charge is to determine whether Mr. Sanders is covered by the statute under which he is now charged. Is there anyone who feels that they will be unable to follow the Court's instruction that forbids such assumptions or speculation?

Do you think that you will be able to impartially look at the evidence to make this decision, or do you think your feelings about the police, law enforcement, or guns will interfere in any way with your ability to be fair to Mr. Sanders?

19. **Have you ever known someone who was injured by another person with a gun, or who injured themselves when they were using or handling a gun?**

What happened?

When was this?

Was there an arrest?

What was the outcome? How do you feel about that outcome?

Do you think that because of your experiences you tend to have strong feelings about guns?

How do you think your experiences and feelings might affect you here in this case?

Do you think your feelings are strong enough that they would carry over into the question of whether or not Mr. Sanders knowingly and intentionally possessed the handgun in this case?

Would you have any inclination to say, "If the Chicago Police Department officers say he did it, he should be found guilty – throw the book at him!"?

20. LEGAL PRINCIPLES:

All defendants charged with crimes are entitled to be presumed innocent unless and until the prosecutor can prove that they are guilty beyond a reasonable doubt. Is there anyone who feels that there is anything about this case that will make it hard for you to presume that these defendants are innocent at this time?

Why do you think this will be a problem for you?

Are you the kind of person who can make a decision in this kind of case based only on the facts and the law, and not on any emotional reactions?

This is the kind of case where some jurors may be upset or angry because a handgun is involved, and that may interfere with them looking unemotionally at what the evidence proves or doesn't prove about whether the defendant knowingly and intentionally smuggled the cocaine. Is there anyone who feels that they will not be able to listen to the facts of this case without emotion?

Many of us are concerned about guns and crime, especially as residents of a major metropolitan area. As jurors you would be required to set aside your general concerns and attitudes on these issues and decide this case independently and solely according to the evidence and instructions given by the Court. How many of you feel that this might be difficult?

21. CONCLUSION

Is there anything that I haven't asked about that any of you think might be important for us to know about you in relation to this case?

Given everything, do you think you can be objective and fair and impartial and not jump to any conclusions, but listen to the evidence carefully?

CERTIFICATE OF SERVICE

The undersigned, Imani Chiphe, an attorney with the Federal Defender Program hereby certifies that in accordance with FED.R.CRIM. P. 49, FED. R. CIV. P5, LR5.5, and the General Order on Electronic Case Filing (ECF), the following document(s):

JERROD SANDERS' PROPOSED VOIR DIRE QUESTIONS

was served pursuant to the district court's ECF system as to ECF filings, if any, and were sent by first-class mail/hand delivery on August 25, 2008, to counsel/parties that are non-ECF filers.

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